

COURT FACILITIES DISPUTE RESOLUTION COMMITTEE

October 28, 2008

MINUTES

COMMITTEE MEMBERS PRESENT:

Ms. Karen Finn, Representative of the Department of Finance
Justice Ron Robie, Representative of the Judicial Council
Supervisor John Tavaglione, Representative of the California State Association of Counties

PRESENTERS:

Clifford Ham, Principal Architect, Office of Court Construction and Management, Administrative
Office of the Courts, Judicial Council
Afshar Jalalian, S.E., Principal, Rutherford and Chekene
Stephen Dunivent, Deputy County Executive Officer, Orange County
Dave Kilpatrick, MSCE, SE, Associate Principal, DMJM H&N
Clark Shen, Manager, Subdivision and Grading, Orange County

OTHERS PRESENT:

Elizabeth Howard, California State Association of Counties
Greg Rogers, Assistant Program Budget Manager, Department of Finance
Nathan Brady, Principal Program Budget Analyst, Department of Finance
Madelynn McClain, Budget Analyst, Department of Finance

CALL TO ORDER AND ROLL CALL:

Mr. Nathan Brady, Department of Finance, called the meeting to order at 9:00 a.m. and called the roll. A quorum was established.

APPROVAL OF THE MINUTES:

Ms. Karen Finn stated that the first item of business was the approval of the minutes from the September 30, 2008, meeting.

A motion was made by Justice Robie and Second by Ms. Finn to approve the minutes from the September 22, 2008, meeting.

The minutes were approved by a 2-0-1 vote (Supervisor Tavaglione abstained).

ACTION ITEM:

Mr. Brady noted that our next item was the Kern County initiated dispute on the Seismic Safety Rating for the following trial court facilities: (1) East Kern Lake Isabella Court, 7046 Lake Isabella Blvd, Lake Isabella; (2) Mojave Justice Center, 1773 Highway 58, Mojave; (3) Mojave Justice Center – Administration Building, 1775 Highway 58, Mojave; (4) Delano – North Kern Court, 1122 Jefferson Street, Delano; (5) Bakersfield Superior Court, 1415 and 1315 Truxtun Avenue, Bakersfield; (6) Arvin/Lamont Court, 12022 Main Street, Arvin; and (7) Bakersfield Justice Building, 1215 Truxtun Avenue, Bakersfield.

Mr. Brady noted that this item was being pulled from the agenda because the County and the AOC were able to resolve the Seismic Safety Rating of the identified facilities.

OTHER BUSINESS:

Mr. Brady reported that there was no other business.

NEXT MEETING:

Mr. Brady noted that the next meeting is set for Monday, December 8, 2008, at 9:00 a.m. at the State Capitol, in Room 112.

Ms. Finn concluded the meeting at 10:05 a.m.

CONTINUATION OF THE ADJOURNED ITEM FROM THE SEPTEMBER 22, 2008 MEETING:

Ms. Finn stated that upon conclusion of our meeting today, we are scheduled to hear the item that was adjourned from the September 22, 2008, meeting.

Mr. Brady stated that the item, which was adjourned, was the Orange County (County) initiated dispute regarding the seismic safety rating of the Lamoreaux Justice Center. Based on the approved minutes from the September 22, 2008, meeting, this facility received a SRL V rating by the AOC. This facility was constructed in 1992. Originally, the building was designed to 1985 uniform building standards, but amended to include the post-1988 uniform building standards. The AOC did not include the post-1988 amendments into their analysis. Prior communication on this item noted that the parties would discuss this issue in more detail at a subsequent meeting; however, this meeting did not take place. The Committee discussed holding over this issue until our meeting scheduled today, to allow both parties time to meet and discuss this item.

Ms. Finn invited the presenters for both Orange County and the Administrative Office of the Courts to the tables, requested that they introduce themselves, and limit their comments to fifteen minutes per facility.

Presenters:

Clifford Ham, Principal Architect, Administrative Office of the Courts
Afshar Jalalian, S.E., Principal, Rutherford and Chekene
Stephen Dunivent, Deputy County Executive Officer, Orange County
Dave Kilpatrick, MSCE, SE, Associate Principal, DMJM H&N
Clark Shen, Manager, Subdivision and Grading, Orange County

All parties introduced themselves. Ms. Finn asked if the parties met after our meeting in September and if they were able to come to a resolution. The AOC stated that they did meet on October 9, 2008, and discussed the issue but were unable to come to a resolution. Mr. Ham noted that there was a correction to the description of the design of the facility. The building was designed to the 1985 uniform building standards, with 1988 county amendments, not post-1988 uniform building codes standards.

Mr. Dunivent made a presentation on the Lamoreaux Justice Center (LJC). Mr. Dunivent gave a brief description of the building and discussed the timeline for construction and amendments. Mr. Dunivent stated that they made amendments to the building design to comply with the intent of the post-1988 uniform building standards. The items in question are the moment frame connections. A brief description was given on the type used in the LJC. Justice Robie asked what the difference was between meeting the intent of the post-1988 standards and actual post-1988 standards. Ms. Finn asked why the County didn't just include the actual post-1988 uniform building standards. Mr. Chen stated that the County met the structural design intent and requirements of the post-1988 standards regarding the moment frame connections. Mr. Dunivent noted that the AOC's Tier 1 and Tier 2 evaluations were overly conservative and used some incorrect data. After discussion, the AOC re-ran the models using partial information. Supervisor Tavaglione asked if after the Northridge Earthquake, did the building suffer any damage? The County stated it did not.

The County performed a Tier 3 analysis and the results indicated that 138 joints (or moment frame connections) out of 460 did not meet the Life Safety performance criteria. Under the Collapse Prevention performance criteria, all joints passed. Mr. Dunivent gave a brief description of Life Safety vs. Collapse Prevention. Additionally, the AOC is holding the court facilities to a higher standard than it needed to be. Justice Robie asked about the requirements for evaluating buildings, what criteria has been used for all other evaluations? Justice Robie

stated that the Committee should not change the rules regarding the requirements for evaluations. Supervisor Tavaglione asked if the criterion was similar to OSHPD criteria. Mr. Ham noted that, as stated in SB 1732, the requirement to evaluate buildings is the same criteria that the Department of General Services uses to evaluate all buildings for seismic safety, which is the Life Safety requirement. Mr. Ham gave a background discussion on how the requirement to follow DGS standards for evaluating all state buildings was arrived. Mr. Ham stated that the requirements used to evaluate all other state court facilities were the same. Mr. Dunivent said that the issue was that if the building wasn't originally designed to a "Life Safety" standard, how can you reasonably expect it to be measured against a higher standard than which it was built?

Justice Robie expressed his concern with the Committee making a ruling that is in contrast to the standard requirements for evaluation of state court facilities. There was discussion with all parties regarding the percentage of joints that could fail and still give the building a seismic safety rating of IV.

Justice Robie asked if it was possible to easily fix the joints that would fail in an earthquake. The County responded that it would not be easy as the walls would have to be opened up and additional welding of the joints would have to occur. Mr. Jalalian gave a brief description of the requirements in the post-1988 building standards regarding moment frame connections - the design and instructions for installing the connections.

A motion was made by Justice Robie and Second by Supervisor Tavaglione to recommend the denial of the Orange County appeal for the Lamoreaux Justice Center to the Director of the Department of Finance.

The appeal for the Lamoreaux Justice Center was recommended for denial by a 3-0 vote.

AYES: Karen Finn
Justice Robie
Supervisor Cox

NOES: None

ABSTAIN: None

There were no comments or questions from the public before conclusion.

OTHER BUSINESS:

Mr. Brady reported that there was no other business.

NEXT MEETING:

Mr. Brady noted that the next meeting is set for Monday, December 8, 2008, at 9:00 a.m. at the State Capitol, in Room 112.

Ms. Finn concluded the meeting at 10:07 a.m.